



**WINCHESTER COMMON COUNCIL
IN REGULAR SESSION
MARCH 24, 2015**

A regular session of the Winchester Common Council was held on Tuesday, March 24, 2015, in the Council Chambers, Rouss City Hall. President Willingham called the meeting to order at 6:00 p.m.

PRESENT: Councilor Evan Clark, John Hill and Corey Sullivan; Vice-President Milt McInturff; City Councilor Kevin McKannan and William Wiley; Mayor Elizabeth Minor; Vice-Mayor Les Veach; President John Willingham (9)

ABSENT: None (0)

MOMENT OF SILENCE – President Willingham led the citizens and councilors in a Moment of Silence.

PLEDGE OF ALLEGIANCE – Mayor Minor led the citizens and councilors in the Pledge of Allegiance.

APPROVAL OF MINUTES – February 24, 2015 Regular Meeting, February 24, 2015 Work Session, March 10, 2015 Regular Meeting, and March 10, 2015 Work Session

Mayor Minor moved to approve the minutes as presented. *The motion was seconded by Vice-President McInturff then unanimously approved by voice-vote.*

REPORT OF THE MAYOR

Mayor Minor stated she did not have a report to present.

REPORT OF THE CITY MANAGER

City Manager Eden Freeman stated she was excited to introduce the new Economic Redevelopment Director, Kimberly Murray. Today was Ms. Murray's second full day on the job and she is off to a great start. Ms. Freeman stated the Public Works Department is coordinating with the Police Department to restrict parking on one side of Highland, Liberty, Kern and Freemont Streets to allow the streets to be thoroughly swept and cleaned. After all of the snow this year, there is a lot of gravel on the streets that needs to be cleaned up as quickly as possible. She stated the Utilities Department began the annual fire hydrant flushing program yesterday. The program tests the hydrants, cleans out any debris that may have accumulated over the winter, and makes sure the hydrants are fully operational. The program will be going on for a couple of months. She announced there are a number of Easter events coming up this Saturday, March 28th, at the Jim Barnett Park and on April 4th downtown on the Pedestrian Mall. The Old Town Farmer's Market is currently accepting applications for vendors. The deadline to submit an application is April 3rd. Ms. Freeman stated after the Council Retreat on January

30th, staff has spent a significant amount of time working on revising the goals to make sure the City is meeting the expectations of City Council. A report will be presented to Council during the April 14th Work Session.

REPORT OF THE CITY ATTORNEY

City Attorney Anthony Williams stated he did not have a report to present.

PUBLIC HEARINGS

1.1 O-2015-05: Second Reading – AN ORDINANCE TO AMEND THE WINCHESTER CITY CODE REGARDING LOCAL MEALS AND ADMISSION EXCISE TAXES

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public hearing at 6:04 p.m.

Vice-President McInturff moved to approve O-2015-05. *The motion was seconded by Vice-Mayor Veach then adopted by the affirmative vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:*

| <u>MEMBER</u> | <u>VOTE</u> |
|--------------------------|--------------------|
| Councilor Clark | Aye |
| Councilor Hill | Aye |
| Vice-President McInturff | Aye |
| Councilor McKannan | Aye |
| Mayor Minor | Aye |
| Councilor Sullivan | Aye |
| Vice-Mayor Veach | Aye |
| Councilor Wiley | Aye |
| President Willingham | Aye |

1.2 O-2015-06: Second Reading – AN ORDINANCE TO AMEND AND REENACT SECTION 18-8-7 OF THE WINCHESTER ZONING ORDINANCE PERTAINING TO FREESTANDING AND BUILDING MOUNTED SIGNS PERMITTED IN THE RO-1 DISTRICT. TA-14-770

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public hearing at 6:04 p.m.

Vice-President McInturff moved to approve O-2015-06. *The motion was seconded by Councilor Wiley then adopted by the affirmative vote of a majority of all members of the Common Council, the ayes and nays being recorded as shown below:*

| <u>MEMBER</u> | <u>VOTE</u> |
|--------------------------|--------------------|
| Councilor Clark | Aye |
| Councilor Hill | Aye |
| Vice-President McInturff | Aye |
| Councilor McKannan | Aye |
| Mayor Minor | Aye |
| Councilor Sullivan | Aye |
| Vice-Mayor Veach | Aye |
| Councilor Wiley | Aye |
| President Willingham | Aye |

2.0 PUBLIC COMMENTS

President Willingham asked if there was anyone wishing to address Council. Seeing none, he closed the public hearing at 6:05 p.m.

3.0 CONSENT AGENDA

- 3.1 R-2015-09:** RESOLUTION PROVIDING FOR THE ISSUANCE AND SALE OF A TAXABLE WATER AND SEWER SYSTEM REVENUE REFUNDING BOND, SERIES 2015, OF THE CITY OF WINCHESTER, VIRGINIA, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$[____], PROVIDING FOR THE FORM, DETAILS AND PAYMENT THEREOF, AND PROVIDING FOR THE REFUNDING OF CERTAIN OUTSTANDING BONDS)

Councilor Clark moved to approve R-2015-09. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

4.0 AGENDA

- 4.1 O-2015-09:** First Reading – AN ORDINANCE TO APPROVE THE APPLICATION OF CONGREGATIONAL COMMUNITY ACTION PROJECT FOR TAX EMEMPT STATUS BY DESIGNATION PURSUANT TO CHAPTER 27 DIVISION 5 OF CODE OF THE CITY OF WINCHESTER
- 4.2 O-2015-10:** First Reading – AN ORDINANCE TO DENY THE APPLICATION OF HABITAT FOR HUMANITY OF WINCHESTER-FREDERICK COUNTY, INC. FOR TAX EXEMPT STATUS BY DESIGNATION PURSUANT TO CHAPTER 27 DIVISION 5 OF CODE OF THE CITY OF WINCHESTER
- 4.3 O-2015-03:** First Reading – AN ORDINANCE TO CONDITIONALLY REZONE 10.59 ACRES AT 200 MERRIMANS LANE (*Map Number 149-01-7-A*), FROM CONDITIONAL RESIDENTIAL BUSINESS (RB-1) DISTRICT WITH CORRIDOR ENHANCEMENT (CE) DISTRICT OVERLAY (0.80 ACRES) AND CONDITIONAL MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT (9.79 ACRES) TO MEDIUM DENSITY RESIDENTIAL (MR) DISTRICT WITH PLANNED UNIT DEVELOPMENT (PUD) DISTRICT OVERLAY RZ-14-663

- 4.4** Motion to appoint _____ as a member of the Shenandoah Area Agency on Aging for a four year term expiring September 30, 2019

Vice-President McInturff moved to appoint Sue Lessman as a member of the Shenandoah Area Agency on Aging. *The motion was seconded by Councilor Hill then unanimously approved by voice-vote.*

- 4.5** Motion to appoint _____ as a member of the Board of Architectural Review for a four year term expiring April 30, 2019

Vice-President McInturff moved to appoint Ann Schroth as a member of the Board of Architectural Review. *The motion was seconded by Mayor Minor then unanimously approved by voice-vote.*

- 4.6** Motion to appoint _____ and _____ as members of the Towing and Recovery Advisory Board each for an indefinite term

Vice-President McInturff moved to appoint Leonard Bauserman and Darin Combs as members of the Towing and Recovery Advisory Board. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

- 4.7** Motion to appoint _____ as a member of the Winchester Parking Authority for a five year term expiring May 31, 2020

Vice-President McInturff moved to appoint David Dillard as a member of the Winchester Parking Authority. *The motion was seconded by Councilor Hill then unanimously approved by voice-vote.*

- 4.8** Motion to reappoint _____ and _____ as members of the Social Services Advisory Board to four year terms each expiring March 31, 2019

Vice-President McInturff moved to reappoint Kathryn Tagnesi and Betty Curtis as members of the Social Services Advisory Board. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

- 4.9** Motion to reappoint _____ as a member of the Old Dominion Community Criminal Justice Board for a three year term expiring June 30, 2018

Vice-President McInturff moved to reappoint Stephen Gyurisin as a member of the Old Dominion Community Criminal Justice Board. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

- 4.10** Motion to reappoint _____ as a member of the Old Dominion Alcohol Safety Action Program Board for a three year term expiring June 30, 2018

Vice-President McInturff moved to reappoint Stephen Gyurisin as a member of the Old Dominion Alcohol Safety Action Program Board. *The motion was seconded by Councilor Clark then unanimously approved by voice-vote.*

5.0 EXECUTIVE SESSION

5.1 MOTION TO CONVENE IN EXECUTIVE SESSION PURSUANT TO §2.2-3711(A)(7) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF RECEIVING LEGAL ADVICE FROM THE CITY ATTORNEY AND LEGAL CONSULTATION REGARDING THE SUBJECT OF SPECIFIC LEGAL MATTERS REQUIRING THE PROVISION OF LEGAL ADVICE BY THE CITY ATTORNEY AND MATTERS OF ACTUAL OR PROBABLE LITIGATION AND PURSUANT TO §2.2-3711(A)(1) OF THE CODE OF VIRGINIA FOR THE PURPOSE OF DISCUSSION AND CONSIDERATION OF INFORMATION REGARDING THE SUBJECT OF THE EMPLOYMENT, ASSIGNMENT, PERFORMANCE AND APPOINTMENT OF SPECIFIC PUBLIC OFFICERS APPOINTEES, AND EMPLOYEES OF THE CITY OF WINCHESTER.

Vice-President McInturff moved to convene into executive session at 6:10 p.m. *The motion was seconded by Councilor Wiley then unanimously approved by voice-vote.*

Vice-President McInturff moved to reconvene in open session at 6:53 p.m. *The motion was seconded by Vice-Mayor Veach then unanimously approved by voice-vote.*

Upon returning, each member certified that only public business matters lawfully exempted from open meeting requirements of the Virginia Freedom of Information Act were discussed during the closed meeting, and that only those public business matters identified in the motion which convened the closed meeting were heard, discussed, or considered during the closed meeting.

A roll call vote was taken, the ayes and nays being recorded as shown below:

| <u>MEMBER</u> | <u>VOTE</u> |
|--------------------------|--------------------|
| Councilor Clark | Aye |
| Councilor Hill | Aye |
| Vice-President McInturff | Aye |
| Councilor McKannan | Aye |
| Mayor Minor | Aye |
| Councilor Sullivan | Aye |
| Vice-Mayor Veach | Aye |
| Councilor Wiley | Aye |
| President Willingham | Aye |

6.0 ADJOURNMENT

Vice-President McInturff moved to adjourn the meeting at 6:54 p.m. *The motion was seconded by Councilor Wiley then unanimously approved by voice-vote.*

Kari J. Van Diest, CMC
Deputy Clerk of Council